

AN ORDINANCE

Authorizing the

SHELBY ELECTRIC COOPERATIVE

ITS SUCCESSORS AND ASSIGNS

TO CONSTRUCT, OPERATE AND MAINTAIN
AN ELECTRIC LIGHT, HEAT AND POWER SYSTEM

in the

CITY OF TAYLORVILLE

COUNTY OF CHRISTIAN

and STATE OF ILLINOIS

ORDINANCE NO. 1388

AN ORDINANCE AUTHORIZING THE SHELBY ELECTRIC COOPERATIVE, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE, AND MAINTAIN AN ELECTRIC LIGHT, HEAT, AND POWER SYSTEM IN THE CITY OF TAYLORVILLE, COUNTY OF CHRISTIAN, AND STATE OF ILLINOIS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAYLORVILLE, COUNTY OF CHRISTIAN, AND STATE OF ILLINOIS:

SECTION 1. There is hereby given and granted to the Shelby Electric Cooperative, an agricultural Cooperative organized under the laws of the State of Illinois, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege, authority, and franchise to construct, operate, and maintain within the corporate limits, as the same now exists or may hereafter be extended, of the City of Taylorville, hereinafter referred to as "Municipality", an electric light, heat, and power system in, along, throughout, over, under, and across the streets, avenues, alleys, and public places in said Municipality for the transmission, distribution, and sale of electric energy, together with the right, privilege, authority, and franchise to erect, construct, operate, and maintain all necessary posts, poles, conductors, wires, conduits, and apparatus in, along, over, under, and across said streets, avenues, alleys, and public places for such purposes.

SECTION 2. All equipment placed or installed under this Ordinance shall be so placed, whether in streets, alleys, avenues, or other public places, as not to interfere unnecessarily with travel on such streets, alleys, avenues, and other public places. All such equipment shall be so located as not to injure unnecessarily any sewers, drains, pipes, conduits, or other like public improvements, and said Grantee shall forthwith repair any damage caused to such improvements to the satisfaction of the official or officials of said Municipality having charge of the supervision thereof and in default thereof said Municipality may repair such damage and charge the cost thereof to, and collect the same from said Grantee. There shall be no unnecessary obstruction of any street, alley, avenue, or public place of said Municipality by said Grantee in the construction, installation, operation, and maintenance

of any equipment constructed, installed, operated, and maintained under authority granted by this Ordinance, and said Grantee shall, in constructing, installing, operating and maintaining any and all such equipment, save and keep harmless the said Municipality from any loss or damage to life or property occasioned by reason thereof.

SECTION 3. The charges to be made by the Grantee for public service rendered by it under this Ordinance shall be such as are approved from time to time by the Rural Electrification Administration or such other duly constituted governmental authority as shall have jurisdiction thereof.

SECTION 4. All provisions of this Ordinance which are obligatory upon and which inure to the benefit of said Grantee shall also be obligatory upon and shall inure to the benefit of Grantee's successors or assigns, and the word "Grantee" whenever used in this Ordinance shall mean and include not only the Shelby Electric Cooperative, but also its successors and assigns.

SECTION 5. Upon acceptance by Grantee of this Ordinance as hereinafter provided, the right, privilege, authority and franchise to operate an electric light, heat, and power system in said Municipality as hereinbefore provided shall be and remain in full force and effect for a period of ten (10) years from and after the date of the passage of this Ordinance.

SECTION 6. No right, privilege, or authority given or granted by this Ordinance shall become effective until there shall have been filed with the City Clerk of said Municipality the written acceptance of said Ordinance by the Shelby Electric Cooperative. Such acceptance shall be so filed within thirty (30) days from the passage of this Ordinance, and when so filed, shall, together with operation by the Grantee, or its successors or assigns, under the terms of said Ordinance, constitute full consideration for the rights, privilege, and authority hereby granted.

SECTION 7. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8. Whereas this Ordinance being necessary for the immediate preservation of public health and safety, an urgency for its immediate passage and taking effect, is hereby declared to exist and it shall therefore take effect ten (10) days from and after its passage and approval as required

by law and upon acceptance by grantee as hereinbefore provided.

Passed this 21st day of June, A. D. 1965.

Approved this 21st day of June, A. D. 1965.

Recorded this 21st day of June, A. D. 1965.

CITY OF TAYLORVILLE

By L. J. Mangell
Mayor

ATTEST:

R. Keith Morris
City Clerk

ACCEPTANCE OF FRANCHISE

SHELBY ELECTRIC COOPERATIVE, an agricultural Cooperative organized under the laws of the State of Illinois, Grantee of certain rights, privileges, and authority granted by an Ordinance of the City of Taylorville, County of Christian, and State of Illinois, being Ordinance No. 1388, and passed June 21, 1965, and approved June 21, 1965, and entitled,

"AN ORDINANCE AUTHORIZING THE SHELBY ELECTRIC COOPERATIVE, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE, AND MAINTAIN AN ELECTRIC LIGHT, HEAT, AND POWER SYSTEM IN THE CITY OF TAYLORVILLE, COUNTY OF CHRISTIAN, AND STATE OF ILLINOIS,"

said Ordinance granting a Franchise to erect, construct, operate, and maintain an electric light, heat, and power system in said City of Taylorville, hereby accepts said Ordinance and all provisions thereof.

IN WITNESS WHEREOF, the SHELBY ELECTRIC COOPERATIVE, Grantee as aforesaid, has caused these presents to be signed by its President and attested by its Secretary and its corporate seal to be affixed this 22 day of June, A. D. 1965, and a copy thereof filed with the City Clerk of the City of Taylorville, County of Christian, and State of Illinois.

SHELBY ELECTRIC COOPERATIVE

By *LeRoy T. ...*
President

(Corporate Seal)

Attest:

Neil E. Pistorius
Secretary

*Delivered to City Clerk
June 22, 1965*

ACCEPTANCE OF FRANCHISE

SHELBY ELECTRIC COOPERATIVE, a not-for-profit Corporation organized under the laws of the State of Illinois, Grantee of certain rights, privileges, and authority granted by an Ordinance of the City of Taylorville, County of Christian, and State of Illinois, being Ordinance No. 1623, and passed July 10, 1972, and approved July 10, 1972, and entitled,

"AN ORDINANCE AUTHORIZING THE SHELBY ELECTRIC COOPERATIVE, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE, AND MAINTAIN AN ELECTRIC LIGHT, HEAT, AND POWER SYSTEM IN THE CITY OF TAYLORVILLE, COUNTY OF CHRISTIAN, AND STATE OF ILLINOIS,"

said Ordinance granting a Franchise to erect, construct, operate, and maintain an electric light, heat, and power system in said City of Taylorville, hereby accepts said Ordinance and all provisions thereof.

IN WITNESS WHEREOF, the SHELBY ELECTRIC COOPERATIVE, Grantee as aforesaid, has caused these presents to be signed by its President and attested by its Secretary and its corporate seal to be affixed this 24th day of July, A. D. 1972, and a copy thereof filed with the City Clerk of the City of Taylorville, County of Christian, and State of Illinois.

SHELBY ELECTRIC COOPERATIVE

By L. Eugene Bellet
President

(Corporate Seal)

Attest:

Neil E. Pastorius
Secretary

EXHIBIT 3

Filed in my office this 26 day of July, A. D.,

1972.

W. Keith Davis

AN ORDINANCE

Authorizing the

SHELBY ELECTRIC COOPERATIVE

ITS SUCCESSORS AND ASSIGNS

TO CONSTRUCT, OPERATE AND MAINTAIN
AN ELECTRIC LIGHT, HEAT AND POWER SYSTEM
IN THOSE PORTIONS OF THE CITY OF
TAYLORVILLE, COUNTY OF CHRISTIAN,
STATE OF ILLINOIS, LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES, TO-WIT:

Beginning at a point at the SE corner of Sec. 31 T 12 N R 1 W 3 PM; thence Northward along the East lines of Sec. 31, Sec. 30, Sec. 19, Sec. 18, Sec. 7, and Sec. 6 all in T 12 N, R 1 W, 3 PM and thence Northward along the East lines of Sec. 31, T 13 N, R 1 W, 3 PM and thence along the East line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 30, T 13 N, R 1 W, 3 PM to the NE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 30, T 13 N, R 1 W, 3 PM; thence Westward along the North lines of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ to a point midway in the North line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ all in Sec. 30 T 13 N, R 1 W, 3 PM; thence Northward thru the centers of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 30 T 13 N, R 1 W, 3 PM to a point midway in the North line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 30 T 13 N, R 1 W, 3 PM; Thence Westward along the North line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 30 T 13 N, R 1 W, 3 PM, thence Westward along the North lines of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ all in Sec. 25, T 13 N, R 2 W, 3 PM; thence Southward along the center line of Sec. 25 T 13 N, R 2 W, 3 PM and thence Southward along the centerline of Sec. 36 T 13 N, R 2 W, 3 PM to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 36 T 13 N, R 2 W, 3 PM; thence Westward along the North lines of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 36 T 13 N R 2 W 3 PM and thence along the North line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 35 T 13 N R 2 W 3 PM to the NW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 35 T 13 N R 2 W 3 PM; thence Southward along the East lines of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ all in Sec. 35 T 13 N R 2 W, 3 PM, to the SE corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 35 T 13 N R 2 W, 3 PM; thence Westward along the North lines of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ all in Sec. 35 T 13 N R 2 W 3 PM, to the NW corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 35 T 13 N R 2 W 3 PM; thence Southward along the West lines of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 35 T 13 N R 2 W 3 PM and thence Southward along the West lines of Sec. 2, Sec. 11, Sec. 14, Sec. 23, Sec. 26 and Sec. 35 all in T 12 N R 2 W 3 PM to the SW corner of Sec. 35 T 12 N R 2 W, 3 PM; thence Eastward along the South lines of Sec. 35 and Sec. 36 T 12 N R 2 W 3 PM and along the South line of Sec. 31 T 12 N R 1 W 3 PM to the point of beginning.